

REMARKS

Claims 6, 17, 23 and 29, as well as new claims 40-51, are pending.

The claims were rejected as follows:

* Claims 1-4, 7-10, 12, 13-15, 18-21, 24-27, 31, 33, 35, 37 and 39 were rejected as anticipated by U.S. Patent No. 6,256,672 (Redpath), a copy of which is attached.

* Claims 5, 6, 11, 16, 17, 22, 23, 28 and 29 were rejected as unpatentable over the Redpath patent in view of U.S. Patent No. 5,917,489 (Thurlow et al.).

Claims 1-5, 7-16, 18-22, 24-28, 31, 33, 35, 37 and 39 have been canceled. Therefore, the rejections of those claims are moot.

Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 6, 17, 23 and 29.

Independent claim 6 recites that when the instructions are executed by the machine, the machine enables each recipient to create and edit a recipient profile that includes the recipient's preferences with regard to "receipt of" prospective attachments. As explained in the specification at page 8:

[T]here is a need for an e-mail program that can allow a user to more precisely specify the type of information that each of the intended recipients will receive.

Examples of a recipient's preferences with regard to the receipt of prospective attachments are described in the specification at page 20 as follows:

At the recipient side, potential recipients can select from reception options with regard to receipt of attachments to form a reception profile. For example, users of the e-mail system can specify that they cannot receive attachments larger than a particular size. Preferably, other options can be selected. The program preferably can be set such that certain dates will be blackened out with regard to reception of attachments. For example, if the recipient will be out of town for a two week period, he or she can select to accept no attachments during that period, or no attachments except for those sent from a particular sender or senders.

As further explained in the examples at page 19:

In some situations, certain recipients simply cannot accept certain messages. In such a situation, the program [] advantageously provides for an absolute block to be set in relation to users who have a known restriction on permitted attachments size. For example, many company firewalls restrict e-mail transmissions to a certain size (such as 2 megabytes) – the program [] then designates users on that system so as to never to be sent a file whose attachments exceed the specified size, . . .

The Office action (at page 10) interprets the word “receipt” (in the phrase “the profile including the recipient’s preferences with regard to receipt of prospective attachments”) as “the act of receiving,” and refers to col. 10, lines 55-67 and Table I at col. 11 of the Thurlow et al. patent as allegedly disclosing the claimed profile.

Even if one were to accept the proposed interpretation, the Thurlow et al. patent does not disclose or suggest enabling a recipient to create and edit a profile with regard to “receipt of prospective attachments” (*i.e.*, a profile with regard to the act of receiving prospective attachments).

The disclosure at columns 10-12 of the Thurlow et al. patent describes how a user may select particular conditions (Table I) and specify particular actions (Table II) that are to be applied with respect to a message *after the message is received*. In particular, the list of actions in Table II (e.g., file it, delete it, forward it, reply, notify, tag it, clear, assign, play a file, mark it) indicates how the message is to be handled *after the message is received*. Claim 6, however, does not recite “the profile including the recipient’s preferences with regard to handling of attachments after they are received.”

Indeed, none of the conditions and actions listed in Tables I and II or disclosed elsewhere in the Thurlow et al. patent relates to “receipt” of a message or attachment (*i.e.*, the act of receiving a message or attachment). For example, the conditions and actions listed in Tables I and II do not suggest the circumstances under which a message or attachment should (or should not) be received. Therefore, the Thurlow et al. patent does not disclose or suggest a profile that includes the recipient’s preferences with regard to “receipt of prospective attachments.”

At least for the foregoing reasons, claim 6 should be allowed. Claims 17, 23 and 29 recite similar features and also should be allowed for the same reasons.

Claims 40-51 have been added and recite additional features that are not disclosed or suggested by the cited references. Those features include:

- * enabling the recipient to create and edit a profile that specifies information about prospective attachments that the recipient is unable, or does not wish, to receive;
- * preventing receipt by the recipient of prospective attachments that the recipient’s profile indicates the recipient is unable, or does not wish, to receive;
- * enabling the recipient to create and edit a profile that specifies the recipient is not to receive attachments larger than a specified size; and
- * enabling the recipient to create and edit a profile that specifies the recipient is not to receive attachments during a particular time frame.

Conclusion

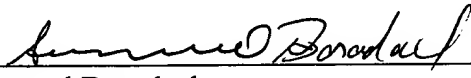
In view of the foregoing remarks, applicant respectfully requests allowance of the pending claims.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/25/06



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